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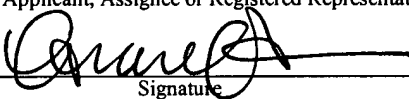
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Naofumi NAKAMURA et al.  
U.S. Serial No. : 10/752,642  
Filing Date : January 7, 2004  
For : ***SEMICONDUCTOR DEVICE AND METHOD OF  
FABRICATING THE SAME***  
Examiner: : Jesse A. Fenty  
Group Art Unit : 2815

745 Fifth Avenue  
New York, New York 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 16, 2005.

Grace L. Pan, Reg. No. 39,440  
(Name of Applicant, Assignee or Registered Representative)

  
Signature

February 16, 2005  
Date of Signature

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Further to the Information Disclosure Statements filed on January 7, 2004 and April 29, 2004, the Examiner's attention is respectfully invited to review the accompanying form PTO-1449 along with a copy of the references identified therein.

**FOREIGN DOCUMENTS**

1. Japanese Patent Application Laid Open No. 11-340229, published December 10, 1999; and
2. Japanese Patent Application Laid Open No. 6-326094, published November 25, 1994.

**REMARKS**

These documents were cited in an Office Action dated January 4, 2005 by the Japanese Patent Office in the corresponding Japanese patent application, Japanese Patent Application No. 2003-430970 (copy of Office Action and English translation attached). This Japanese application is also assigned to Kabushiki Kaisha Toshiba.

Pursuant to Rule 37 C.F.R. § 1.97(c), an Information Disclosure Statement shall be considered by the Patent Office if filed before the mailing date of either a Final Office Action under 37 C.F.R. § 1.113, or a Notice of Allowance under 37 C.F.R. § 1.311, which ever occurs first, and is accompanied by a statement as specified in 37 C.F.R. § 1.97(e).

Pursuant to 37 C.F.R. § 1.97(e)(1), Applicants' undersigned attorney hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in communications from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Second Supplemental Information Disclosure Statement.


This Second Supplemental Information Disclosure Statement is not a representation that the documents cited herein are considered most pertinent, or that a search has

been undertaken, or that the cited documents are indeed prior art. The Examiner is respectfully invited to undertake an independent search.

It is believed that no additional fee is due; however, the Commissioner is hereby authorized to charge any additionally required fee or credit any overpayment therein to Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By:   
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(3/90)

ATTY. DOCKET NO.

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SERIAL NO.

10/752,642

## SECOND SUPPLEMENTAL LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANTS

Naofumi NAKAMURA et al.

FILING DATE

January 7, 2004

GROUP

2815

## U.S. PATENT DOCUMENTS

| EXAMINER<br>INITIAL | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|---------------------|-----------------|------|------|-------|----------|-------------------------------|
|                     |                 |      |      |       |          |                               |
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## FOREIGN PATENT DOCUMENTS

|  |    | DOCUMENT NUMBER | DATE     | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|----|-----------------|----------|---------|-------|----------|-------------|----|
|  |    |                 |          |         |       |          | YES         | NO |
|  | AA | 11-340229       | 12/10/99 | Japan   |       |          |             | X  |
|  | BB | 6-326094        | 11/25/94 | Japan   |       |          |             | X  |
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## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

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